



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Stillwater Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701
<http://www.blm.gov/nv>

In Reply Refer To:
NVN 85215
2800 (NVC0100)

JAN 08 2013

Your Reference

Luning Solar Measurement Station

CERTIFIED MAIL 7010 3090 0000 0363 1256
RETURN RECEIPT REQUESTED

DECISION

Luning Solar Energy, LLC
Attn: Mr. Edward Benson
1555 Ridgeview Drive, #189
Reno, Nevada 89519-6238

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Right-of-Way

Right-of-way Relinquished Case Closed

The Bureau of Land Management (BLM) received your request on November 19, 2012 to terminate the above referenced right-of-way (ROW) for your solar energy project in the Luning area, Mineral County, Nevada. Through a physical inspection and photos provided by Jon Hirt of Amonix, the BLM has determined all facilities have been removed and your ROW is in compliance with the grant requirements for final reclamation. Your ROW is hereby relinquished and the case has been closed. No additional rental is due. Please note your records accordingly.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulations at 43 CFR 2801.10 or 43 CFR 2881.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and

to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed in this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions, please contact Matt Simons, Realty Specialist, at (775) 885-6003, email msimons@blm.gov, or at the above address.



Teresa J. Knutson
Field Manager
Stillwater Field Office

Enclosure

1 – Appeals Information (Form #1842-1)